

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOE N. LOUIS,)	CASE NO.: C06-1169-RSL
)	
Petitioner,)	
)	
v.)	ORDER DISMISSING § 2254
)	PETITION WITHOUT PREJUDICE
RON VAN BOENING,)	
)	
Respondent.)	
_____)	

Petitioner has submitted a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, along with an application for leave to proceed *in forma pauperis*. On August 29, 2006, the Court denied petitioner's leave to proceed *in forma pauperis* and gave petitioner 21 days, or until September 19, 2006, in which to pay the \$5.00 filing fee, or face dismissal of this action. (Dkt. #5). As of the date of today's Order, petitioner has not paid the fee. Accordingly, the court hereby ORDERS:

(1) This action is DISMISSED without prejudice; and,

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(2) The Clerk shall send a copy of this Order to petitioner and to the Honorable Mary Alice Theiler.

DATED this 28th day of September, 2006.



Robert S. Lasnik
United States District Judge

Recommended for Entry
this 22nd day of September, 2006.

s/ Mary Alice Theiler
United States Magistrate Judge